

REMARKS

Claims 1-6 and 11-13 are rejected under 35 USC § 112 as being indefinite for including a negative limitation. Applicants amended the independent claims to address the issue raised by the United States Patent &Trademark Office (USPTO).

Claims 1-4, 6 and 11-13 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Application No. 4,628,934 to Pohndorf et al. (“Pohndorf”). The present invention is directed to an implantable medical device system that includes a first adapter and a second adaptor. The first adaptor includes a first internal surface forming a first lumen to receive a lead connector positioned within the first adapter and a first electrical contact element positioned along the first inner surface at a first distance from a first proximal end for electrically coupling with a first lead connector element of a plurality of lead connector elements when the lead connector is positioned within the first lumen. A first insulative layer extends along the first inner surface to prevent electrical coupling of other than the first lead connector element. The second adapter includes a second internal surface forming a second lumen to receive the lead connector positioned within the second adapter and a second electrical contact element positioned along the second inner surface at a second distance from the second proximal end for electrically coupling with a second lead connector element of the plurality of lead connector elements other than the first lead connector element when the lead connector is positioned within the second lumen. A second insulative layer extends along the second inner surface to prevent electrical coupling of other than the second lead connector element. Each of the first adapter and the second adapter include a respective external surface to engage the inner surface the connector bore, the respective external surfaces including a conductive surface electrically coupled to the corresponding first and second electrical contact element to electrically engage the corresponding first and second electrical contact element within the connector

bore. Further, claims 1, 11 and 13 each recite that “wherein the first adapter configured to be up-sized.”

Pohndorf teaches an electronic electrode switching/selection circuit that minimizes the number of feedthroughs from a pacer case to a pacer neck needed to connect with pacing lead electrodes that will be actively used during operation of a pacer. Pohndorf does not teach an implantable medical device system that includes a first adapter and a second adaptor, as set forth in independent claims 1, 11 and 13 of the present invention. The office action states that Pohndorf discloses first and second adaptors 316 in Figs. 6-7. However, as set forth in Pohndorf at column 9, lines 38-39, adaptors 316 are “identical.” Thus, the adaptors 316 in Pohndorf fail to meet the limitation of the independent claims that the first adaptor has a first electrical contact element positioned along the first inner surface at a first distance from a first proximal end for electrically coupling with a first lead connector element of a plurality of lead connector elements when the lead connector is positioned within the first lumen, the second adaptor has a second electrical contact element positioned along the second inner surface at a second distance from the second proximal end for electrically coupling with a second lead connector element of the plurality of lead connector elements other than the first lead connector element when the lead connector is positioned within the second lumen, and **wherein one of the first adapter and the second adapter configured to be up-sized.**

Pohndorf does not allow up-sizing of its adapter. Therefore, claims 1, 11 and 13 are not anticipated by Pohndorf. Further, claims 2, 3, 4, 6, and 12, which variously depend from claims 1 and 12, are also not anticipated by Pohndorf. Accordingly, withdrawal of the rejection is respectfully requested.

II. Rejections under 35 USC §103

Claim 5 is rejected under 35 USC § 103(a) as being unpatentable over Pohndorf in view of US Patent No. 4,469,104 to Peers-Travarton (“Peers-Trevarton”).

Peers-Trevarton teaches a connector assembly with spaced apart metal bands. Neither Pohndorf or Peers-Trevarton, alone or in combination, teach or suggest an implantable medical device system that includes a first adapter and a second adaptor that are configured to be up-sized. Therefore, claim 5 is patentably distinguishable from the combination of Pohndorf and Peers-Trevarton.

Withdrawal of the instant rejections and issuance of a Notice of Allowance is respectfully requested. The Commissioner is authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 13-2546.

Respectfully submitted,

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